

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TARIQ AHMAD,

Plaintiffs,

3:20-cv-0717-MMD-CLB

v.

GRACO FISHING AND TOOLS, INC., et al.,

ORDER

Defendants.

Three motions are currently pending. The court will address each motion in turn.

ECF No. 12 – Motion to File First Amended Complaint

Pursuant to Fed. R. Civ. P. 15(a)(1), plaintiff is entitled to amend his pleading once as a matter of course within 21 days of service. Therefore, plaintiff's motion to amend (ECF No. 12) is **GRANTED**. The Clerk shall DETACH and FILE the first amended complaint attached to plaintiff's motion as Exhibit 1 (ECF No. 12-1).

ECF No. 15 – Request for Default

Defendant Jim Fulkerson was served on January 8, 2021 (ECF No. 10). Fulkerson's answer was due on January 28, 2021. Plaintiff sought a default on January 29, 2021 (ECF No. 15). Later that same day, Fulkerson filed an answer (ECF No. 16). Because this court prefers to resolve cases on their merits and avoid the delay of a motion to set aside default which would most certainly be granted, plaintiff's request for default (ECF No. 15) is **DENIED**.

ECF No. 20 – Motion for Sanctions

Plaintiff's motion for sanctions (ECF No. 20) is without merit and is **DENIED**.

DATED: February 8, 2021.


ED STATES MAGISTRATE J.

UNITED STATES MAGISTRATE JUDGE
